

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of JOSHUA BROWN, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ANGELA BROWN,

Respondent-Appellant,

and

MARK KING,

Respondent.

UNPUBLISHED

July 7, 2005

No. 258785

Wayne Circuit Court

Family Division

LC No. 90-283914

Before: Cooper, P.J., and Fort Hood and R.S. Gribbs*, JJ.

MEMORANDUM.

Respondent-appellant Angela Brown appeals as of right from the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(g), (j), and (l). We affirm.

We review a trial court's decision to terminate parental rights for clear error.¹ If the trial court determines that the petitioner has proven by clear and convincing evidence the existence of one or more statutory grounds for termination, the court must terminate the respondent's parental rights unless it finds from the record evidence that termination is clearly not in the child's best

¹ MCR 3.997(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

* Former Court of Appeals judge, sitting on the Court of Appeals by assignment.

interests.² We review the trial court's determination regarding the child's best interests for clear error.³

The trial court properly found that statutory grounds for termination were established by clear and convincing evidence. Respondent-appellant's parental rights to two other children had previously been terminated based in part on her substance abuse addiction, involvement in violent relationships, and failure to maintain appropriate housing. Respondent-appellant even used crack cocaine shortly before the child's birth, causing her to go into labor. Contrary to respondent-appellant's statements at trial, the evidence revealed that respondent-appellant was still addicted to crack cocaine and that she remained involved in violent relationships. She had been evicted for nonpayment of rent and was living in shelters. Respondent-appellant also knowingly permitted her child to be in contact with a person who had sexually molested him in the past.

Further, respondent-appellant failed to present any evidence that termination of her parental rights was clearly not in the child's best interests. Thus, the trial court did not err in terminating respondent-appellant's parental rights to the child.

Affirmed.

/s/ Jessica R. Cooper
/s/ Karen M. Fort Hood
/s/ Roman S. Gribbs

² MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353-354; 612 NW2d 407 (2000).

³ *Id.* at 356-357.